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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,868	09/16/2003	Lauri Huotari	PAT131USA	5561
24339	7590	09/14/2005	EXAMINER	
JOEL D. SKINNER, JR. SKINNER AND ASSOCIATES 212 COMMERCIAL ST. HUDSON, WI 54016			BLAKE, CAROLYN T	
			ART UNIT	PAPER NUMBER
			3724	

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Part of Paper No./Mail Date 09072005

DETAILED ACTION

1. This action is in response to applicant's amendment received on June 1, 2005.
2. The objection to the specification is withdrawn in view of the amendment.
3. The objection to the claims is withdrawn in view of the amendment.
4. The text of those sections in Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

5. Claims 1, 7, and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 7, and 12, Applicant appears to claim alternative tools because the method can be scoring, punching, perforation, opening, cutting, etc. Applicant is suggested to use the phrase - -a cutting operation- - for clarity, replacing the entire phrase "a scoring, punching, perforation, opening or cutting operation" in claim 1 and making equivalent changes to claims 7 and 12.

Claim 12 recites the limitation "the tool" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Claim Objections

6. Claim 1 is objected to because of the following: "impact the too" should be changed to - -impact the tool- -. Appropriate correction is required.
7. Claims 10 and 11 are objected to because of the following: "one of the previous" (line 1) should be deleted.

Claim Rejections - 35 USC § 102

8. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Aske (2,246,719).

Regarding claim 1, Aske discloses a method for working paper, board, or similar, in which method punching is carried out on a material comprising the steps of:

- a. providing a counter-piece (28);
- b. providing an electromagnet (63);
- c. attaching a tool (34) to the electromagnet (63);
- d. placing the sheet material between the tool (34) and the counter-piece (28); and
- e. creating, with the aid of an electric motor effect, at least one rapid, back and forwards movement between the magnet (63) and the counter-piece (28) to impact the tool (34) against the sheet material.

Regarding claim 3, Aske discloses the force created by the electromagnet (63) is transmitted to the sheet material by means of joints and/or lever arms.

Regarding claim 4, Aske discloses the movement between the electromagnet (63) and the counter-piece (28) is a linear motion.

Regarding claim 5, Aske discloses the operation is carried out as an operation twice or more in rapid sequence.

Regarding claim 6, Aske discloses energy is charged into batteries (81) for use in the next sequence.

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Regarding claim 7, Aske discloses a device for working sheet material, such as scoring, punching, perforating, creating openings, cutting, or similar, paper, board, or similar, comprising:

- a. an electromagnet component (63) operating on an electromagnetic principle;
- b. a tool (34) for performing the punching operation, the tool (34) being connected to the electromagnet (63);
- c. a counter-piece (28) disposed adjacent the tool (34) and defining a space for placement of the sheet material; and
- d. a device for conducting electricity to the electromagnet component (63) to bring it and the counter-piece (28) towards each other with a rapid, striking movement, to perform the aforesaid operation.

Regarding claim 8, Aske discloses the electromagnet (63) is permanently attached to a frame and counter-piece (28) moves towards and away from the magnet (63).

Regarding claim 9, Aske discloses the device comprises a blade (34).

Regarding claim 10, Aske discloses a battery (81).

Regarding claim 11, Aske discloses the device is assembly from two or more components (such as upper frame 24 and lower frame 2) and contains an electromagnet (63).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Svidercoschi (3,040,610) in view of Rabinow (3,182,905).

Svidercoschi discloses the device substantially as claimed comprising:

- a. a frame;
- b. a cradle (12) flexibly attached to the frame;
- c. an electromagnet component (5) fixedly connected to the frame and operating on an electromagnetic principle, the electromagnet component (5) having:
 - i. an iron core (6);
 - ii. a pair of coils (10, 11) disposed on the core (6); and
 - iii. a holder (8) disposed on the core (6) between the coils (10, 11);
- d. a blade (4) for performing the operation;
- e. a counter-piece (1) connected to the frame and disposed adjacent the blade (4), the counter-piece (1) having a groove (2) defining a space for placement of the sheet material (3); and
- f. a device for conducting electricity (16) to the electromagnet component to bring the counter-piece toward the electromagnet (5) with a rapid,

reciprocating linear movement whereby the blade (4) attached to the electromagnet (5) strikes the sheet material (3) disposed in the space to punch.

While Svidercoschi discloses relative movement between the counter-piece and the tool, the reference fails to disclose the counter-piece is reciprocatingly movable. However, Rabinow discloses a device for punching comprising an electromagnet (38), a tool (25), and a counter-piece (12) wherein the counter-piece is reciprocatingly movable. This arrangement quickly and efficiently creates punches. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Svidercoschi counter-piece movable, as disclosed by Rabinow, for the purpose of quickly and efficiently creating a punch.

In addition, Svidercoschi fails to disclose the counter-piece is metallic. Official notice is taken it is old and well known in the art to manufacture punch components, specifically a counter-piece as claimed, from metal because metal is durable and readily available. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to manufacture the Svidercoschi counter-piece from metal because metal is durable and readily available.

Response to Arguments

11. Applicant's arguments filed June 1, 2005 have been fully considered but they are not persuasive.

Regarding the argument Aske does not disclose a tool attached to a counter-piece, this is not claimed. In addition, Applicant does not disclose a tool attached to a counter-piece.

Regarding the argument Aske does not disclose electromagnetic actuation, this is incorrect. FIG 14 clearly shows the method and apparatus as claimed, including the connection between the tool (34) and counter-piece (63). Although Examiner believes there are differences between Aske and Applicant's device concerning structure and operation, these differences are not claimed.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn T. Blake whose telephone number is (571) 272-4503. The examiner can normally be reached on Monday to Friday, 8:00 AM to 5:30 PM, alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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September 7, 2005



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